IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL ACTION NO. 3:20-CV-063-RJC-DCK

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THIS MATTER IS BEFORE THE COURT on "Plaintiffs Motion To Proceed With Case" (Document No. 12) filed July 8, 2020. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion, the record, and applicable authority, the undersigned will deny the motion.

By the instant motion, *pro se* Plaintiff "moves the court to oppose the defendants request to dismiss the case" and seems to reference "Plaintiff's Opposition to Defendant's Motion To Dismiss" (Document No. 11) which was also filed on July 8, 2020.

The undersigned finds that *pro se* Plaintiff's response (Document No. 11) in opposition to "Defendants' Motion To Dismiss Complaint" (Document No. 9) was timely filed and that the instant "...Motion To Proceed..." is redundant and unnecessary. The Court will carefully consider Plaintiff's opposition after the pending motion to dismiss has been fully briefed (Defendant's reply brief is due by July 15, 2020).

IT IS, THEREFORE, ORDERED that "Plaintiffs Motion To Proceed With Case" (Document No. 12) is **DENIED AS MOOT**.

Signed: July 8, 2020

David C. Keesler

United States Magistrate Judge